

PROB 12B
(7/93)

Report Date: December 15, 2006

United States District Court

for the

Eastern District of Washington

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

**FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

DEC 18 2006

**JAMES R. LARSEN, CLERK
DEPUTY
YAKIMA, WASHINGTON**

Name of Offender: David Sterling McConnell

Case Number: 2:04CR00268-001

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko

Date of Original Sentence: 06/06/2005

Type of Supervision: Supervised Release

Original Offense: Possession of an Unregistered
Firearm, 26 U.S.C. § 5861(d)

Date Supervision Commenced: 09/01/2006

Original Sentence: Prison - 24 Months;
TSR - 36 Months

Date Supervision Expires: 09/06/2009

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 19 You shall reside in a residential reentry center for a period of up to 180 days. This placement may include a prerelease component, day reporting, and home confinement (with or without electronic monitoring, but not to include GPS) at the directions of the CCM and USPO. You shall abide by the rules and requirements of the facility. You shall remain at the facility until discharged by the Court.

CAUSE

On September 1, 2006, Mr. McConnell released from Bannum Place of Spokane, a residential reentry center (RRC). At the time of his release, he was gainfully employed and living with his parents.

During the month of September 2006, the defendant binged on methamphetamine and marijuana. As a result, he lost his employment and was referred to inpatient treatment by the undersigned officer. On November 8, 2006, a report was submitted to the Court advising of the violation behavior, but requesting no action. The Court was informed that Mr. McConnell had successfully completed a 30-day inpatient program, and was scheduled to begin his outpatient follow-up treatment.

The defendant missed his scheduled appointment to enter into outpatient treatment on November 8, 2006. As of December 15, 2006, he has not yet started his aftercare treatment. Mr. McConnell was referred to Command Staffing on November 27, 2006, and directed to contact their agency for assistance in securing employment. He has failed to seek out their services as directed, and continues to be unemployed.

On December 15, 2006, the undersigned officer made an unscheduled home visit to the defendant's residence. During a plain view inspection of the residence, a glass pipe containing white residue was located in Mr. McConnell's bedroom on his night stand. Based on this officer's training and experience, this device is drug

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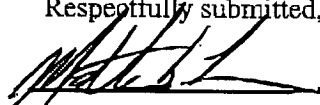
paraphernalia, commonly used for smoking methamphetamine or "crack" cocaine. The defendant admitted to using methamphetamine on December 13, 2006.

It appears that Mr. McConnell could benefit from the structure and enhanced supervision that can be offered through a residential reentry center. His placement at an RRC will better enable him to maintain his sobriety, attend outpatient treatment, and establish employment. If he remains in his current setting, there is a great possibility for continued non-compliance, placing both the defendant and community at risk. The undersigned officer believes that placing Mr. McConnell at the RRC is an intermediate sanction that appropriately addresses the underlying risks, and is a reasonable intervention.

Please advise this officer should Your Honor require a different course of action or a Court appearance by the defendant.

Respectfully submitted,

by



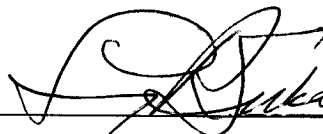
Matthew L Thompson

U.S. Probation Officer

Date: December 15, 2006

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer

12/18/06

Date